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May 24, 2012

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, NW  
Washington, DC 20554

**Re: Notification of Ex Parte Communication, PS Docket No. 12-94**

Dear Ms. Dortch:

On Wednesday, May 23, 2012, a permitted ex parte meeting occurred in the above-referenced docket. Present during the meeting were Charles Mathias, Special Counsel to the Chairman; Secretary Darryl Ackley of the New Mexico Department of Information Technology ("NM DoIT"); and Albert Catalano of the law firm of Catalano & Plache, PLLC, counsel to NM DoIT.

During the meeting, the NM DoIT representatives discussed the information set forth in NM DoIT's April 20, 2012 comments in this docket, supporting a two-year extension of the lease allowing New Mexico's operational deployment on the 700 MHz public safety broadband spectrum.

NM DoIT stated its concerns regarding build-out in the rural areas of the State. NM DoIT also advised that the Albuquerque Police Department ("APD") recently deployed a commercial application to prevent the loss of currently available funding and to meet its immediate smart policing needs. Finally, NM DoIT represented that it is now considering possible revisions to its Broadband Technology Opportunity ("BTOP") funding plan, subject to NTIA review and approval.

Respectfully submitted,



Albert J. Catalano

cc: Charles Mathias  
Jennifer Manner